

conductive patterns *arranged in adjacent relation on an outer surface of said insulator*, wherein said first sensor, said second sensor, and said third sensor *are disposed such that directions in which said magnetic sensitive members in respective sensors have maximum magnetic field detection sensitivities are substantially orthogonal to each other.*”

As to the alleged incompleteness of Claim 16, it is noted that Claim 16 also recites the structural cooperative relationships of the elements as set forth in italics below: “a sensor substrate *for holding said magnetic sensitive member*, an insulator *formed to allow penetration of said magnetic sensitive member therethrough*, and an electromagnetic coil made up of foil-like conductive patterns arranged in adjacent relation *on an outer surface of said insulator*, and wherein said sensor substrate has electrodes *extended from said electromagnetic coil and said magnetic sensitive member*, said electrodes *being formed on one of outer surfaces of said sensor substrate which is substantially orthogonal to the axial direction of said magnetic sensitive member.*”

The Office Action indicates that the “omitted structural cooperative relationships” are (1) a groove in the substrate, (2) conductive patterns disposed on an inner peripheral surface of the groove, and (3) insulation filled in the groove around the wire. However there is no requirement under 35 U.S.C. § 112 that these specific limitations be recited in Claims 1 or 16; there is no evidence that the structural cooperative relationships already recited in Claims 1 and 16 are insufficient to interrelate the elements or that the allegedly necessary elements are described in the specification to as being necessary to practice the invention.

Similarly, there is no evidence that the missing limitations resulting in the alleged vagueness would render one skilled in the art incapable of understanding the scope or subject matter of Claim 1. Indeed, it appears that the actual basis for this rejection is that the claim is simply too broad. But since breadth is not indefiniteness (MPEP § 2173.04), this rejection is unsupportable and its withdrawal is respectfully solicited.

Claims 1-18 were rejected under 35 U.S.C. § 103 as being obvious over U.S. patent 6,831,457 (Honkura et al) in view of U.S. patent 4,656,750 (Pitt et al). However it is noted that the present application claims priority under 35 U.S.C. § 119 from Japanese priority application 2003-199533 filed on July 18, 2003. Applicants are herein submitting an accurate English translation of this priority application in order to perfect their priority date.

Additionally, Honkura et al was assigned at the time of invention to Aichi Micro Intelligent Corporation which is a wholly owned subsidiary of the assignee of the present application at the time of invention: Aichi Steel Corp. (see assignment recorded on August 31, 2005 at reel 016944, frame 0122). Therefore the 35 U.S.C. § 102(e) prior art date of Honkura et al under 35 U.S.C. § 103 is its publication date of August 21, 2003. 35 U.S.C. § 103(c). Since the effective filing date of the present application now antedates the 35 U.S.C. § 102(e) date of Honkura et al for a rejection under 35 U.S.C. § 103, it is respectfully submitted that this reference is not prior art, and so the rejection based thereon is moot.

Finally, Claims 1, 2, 9 and 16-18 were rejected as being subject to obviousness type double patenting with respect to Claims 1-2 of copending application 10/501,329. This rejection is also respectfully traversed. The rejected claims recite at least the following limitations shown in italics which are not present in the claims of the copending application:

For Claims 1-2 and 9: *A three-dimensional magnetic bearing sensor including a first sensor, a second sensor, and a third sensor each constituted by a magneto-impedance sensor element comprising a magnetic sensitive member having a characteristic changed responsive to an external magnetic field, an insulator formed to allow penetration of said magnetic sensitive member therethrough, and an electromagnetic coil made up of foil-like conductive patterns arranged in adjacent relation on an outer surface of said insulator, wherein said first sensor, said second sensor, and said third sensor are disposed such that directions in*

which said magnetic sensitive members in respective sensors have maximum magnetic field detection sensitivities are substantially orthogonal to each other.

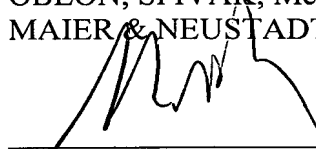
For Claims 16-18: A magneto-impedance sensor element made by winding an electromagnetic coil around a magnetic sensitive member having a characteristic changed responsive to an external magnetic field, wherein said magneto-impedance sensor element comprises a sensor substrate for holding said magnetic sensitive member, *an insulator formed to allow penetration of said magnetic sensitive member therethrough*, and an electromagnetic coil *made up of foil-like conductive patterns arranged in adjacent relation on an outer surface of said insulator*, and wherein *said sensor substrate has electrodes extended from said electromagnetic coil and said magnetic sensitive member, said electrodes being formed on one of outer surfaces of said sensor substrate which is substantially orthogonal to the axial direction of said magnetic sensitive member.*

Since the Office Action has not explained why these missing elements would have been obvious in view of the prior art, it is respectfully submitted that the claims recite unobvious subject matter.

Applicants believe that the present application is in condition for allowance and respectfully solicit an early notice of allowability.

Respectfully submitted,

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